

International Mobile Satellite Organization

ASSEMBLY

Eighteenth Session

25 to 29 September 2006

Agenda item 13

ASSEMBLY/18/13

Origin: Director

Date: 1 August 2006

RELATIONSHIPS WITH OTHER INTERNATIONAL ORGANIZATIONS

Executive Summary: this document reports on the status of relationships with other international organizations.

Action to be taken: 1. to note the status of relationships with other international organizations;
2. to approve the text of a draft Agreement of Cooperation between the International Hydrographic Organization and IMSO.

Related documents: none

1 BACKGROUND

1.1 Article 13 of the IMSO Convention reads as follows:

“The Organization shall cooperate with the United Nations and its bodies dealing with the Peaceful Uses of Outer Space and Ocean Area, its Specialized Agencies, as well as other international organizations, on matters of common interest.”

1.2 Furthermore, the functions of the Director include, *inter alia*, representing the Organization at meetings of IMO dealing with the Safety of Life at Sea Convention, including GMDSS, other maritime safety matters, and regular consultation and cooperation with IMO, and at meetings of other organizations, including ITU, ICAO and regional bodies on matters of relevance to the Organization’s purposes, and consultation and cooperation with such entities as necessary.

1.3 At its Thirteenth (Extraordinary) Session (ASSEMBLY/13/Report, Section 4.6 and Annexes 38 to 40 refer), the Assembly approved revised draft

Agreements of Cooperation with the International Maritime Organization (IMO), the International Civil Aviation Organization (ICAO) and the International Telecommunication Union (ITU), which the Director was authorized to sign. The revised Agreements of Cooperation with IMO, ICAO and ITU were signed, respectively, on 15 December 1999, 20 September 2000 and 25 September 2001.

2 **STATUS OF RELATIONSHIPS WITH OTHER INTERNATIONAL ORGANIZATIONS**

2.1 **United Nations**

2.1.1 The Director has continued to participate in the work of the United Nations Open-Ended Informal Consultative Process established by the General Assembly in its Resolution 54/33 in order to facilitate the annual review by the General Assembly of developments in Ocean Affairs and the Law of the Sea (UNCLOS). The Director attended the Sixth and Seventh meetings of the Consultative Process in June 2005 and June 2006.

On 5 April 2005, the Director wrote to all IMSO Member States regarding a letter received from the Under Secretary General of the United Nations Office at Vienna requesting IMSO's support in encouraging its Member States, which have not yet become parties to the five United Nations Treaties on Outer Space, to give consideration to ratifying or acceding to these treaties. In his letter, the Director, in view of the importance of the issues raised, urged IMSO Member States to forward the letter to the relevant Government departments for due consideration and action, as appropriate.

2.2 **UNCOPUOS**

2.2.1 IMSO enjoys observer status with the United Nations Committee on Peaceful Uses of Outer Space (UNCOPUOS) and the IMSO Assembly has extended reciprocal observer status to UNCOPUOS. During 2004 and 2005, the Director and the Head of Technical Services attended meetings of UNCOPUOS and its Legal and Scientific and Technical Sub-Committees where, *inter alia*, matters related to the Supervisory Authority over the Space Assets Protocol were discussed. Discussions continue on whether the United

Nations General Assembly and the Secretary-General of the United Nations may take over the functions of the Supervisory Authority when and if requested by the Diplomatic Conference which will approve the Space Assets Protocol, or whether these functions can be assigned to another international governmental organization which would be willing to do so. This issue is further discussed under Item 2.6 of this Report.

2.3 **International Maritime Organization (IMO)**

2.3.1 The Director and the Head of Technical Services regularly attend relevant meetings at IMO, including the Assembly, Council, Maritime Safety Committee, Sub-Committee on Radiocommunications and Search and Rescue and Sub-Committee on Safety of Navigation.

Performance by Inmarsat in Respect of GMDSS

2.3.2 IMSO reports on a regular basis to IMO on performance by Inmarsat in respect of GMDSS, as requested by Parties. In this regard, contributions have been submitted by IMSO to the Ninth and Tenth Sessions of the IMO Sub-Committee on Radiocommunications and Search and Rescue (COMSAR): "SATELLITE SERVICES (INMARSAT AND COSPAS-SARSAT): Analysis and assessment of the GMDSS performance of Inmarsat Ltd". The documents have been reviewed by the Advisory Committee and sent to all IMSO Member States, and copies are available from the Secretariat on request.

IMSO Oversight of future GMDSS Providers

2.3.3 At its Seventeenth Session, the Assembly agreed by an overwhelming majority that IMSO is willing to carry out the oversight of future providers of mobile satellite communications services for the GMDSS. This information was conveyed to the IMO Maritime Safety Committee at its seventy ninth session (MSC 79). MSC 79 *"confirmed and reiterated its decision at MSC 78, that IMSO was the appropriate organization to carry out the required oversight ..."* (MSC 79/23 paragraph 22.34). Following this, the Director received a formal request from the Secretary-General of IMO inviting IMSO to carry out such oversight forthwith.

2.3.4 The Secretariat acted as Co-ordinator of the IMO Correspondence Group established by COMSAR 9 to review and revise the text of IMO Assembly resolution A.888(21) "Criteria for the Provision of Mobile-Satellite

Communication Systems in the Global Maritime Distress and Safety System (GMDSS)". This Correspondence Group completed its work before the end of 2005 and reported to COMSAR at its 10th session (February 2006). COMSAR 10 agreed the new resolution text proposed by the Correspondence Group and forwarded it to the MSC for consideration and action. It is expected that IMO's consideration of the issue will be completed at MSC 82 in December 2006.

Closure of Inmarsat-E Service

2.3.5 The Director also submitted a paper to MSC 79 supporting plans by Inmarsat to close the Inmarsat-E L-band EPIRB system. The matter was considered at length by MSC 79 and "*... the Committee requested IMSO to oversee the orderly closure of the Inmarsat-E service, ensuring that no existing L-band EPIRB user is left without equivalent EPIRB cover at any time.*" (MSC 79/23 paragraph 22.44). Accordingly, the IMSO Secretariat has worked with Inmarsat to oversee the letting of the EPIRB replacement contract. The programme to replace all the Inmarsat-E EPIRBs is progressing well and will be completed by the end of 2006, under the supervision of the IMSO Secretariat.

Long Range Identification and Tracking of Ships (LRIT)

2.3.6 Parties will have noted from the various reports of the Advisory Committee that the Long Range Identification and Tracking of Ships (LRIT) is an issue for the Organization and will be a separate item on the Agenda of the Assembly. In response to a request from the IMO Maritime Safety Committee, the Advisory Committee recommended that the IMSO Assembly decide to respond to IMO that IMSO would be willing to undertake the oversight of the LRIT system within the legal framework established by IMO, but that IMSO was not in a position to state that it was able to undertake oversight of the LRIT system until the operational requirements had been sufficiently developed by IMO.

2.3.7 IMO has now completed the fundamental work relating to the implementation of LRIT and is waiting for a further response from IMSO to its invitation. The matter will be considered in detail by the IMSO Assembly under agenda item 6 (ASSEMBLY/18/6/REV/1 refers).

2.4 **International Civil Aviation Organization**

2.4.1 The Director is pleased to report that under the Agreement of Cooperation with ICAO, the Secretariat continues to maintain good and mutually beneficial relationships with ICAO.

2.4.2 In a letter dated 10 July 2006, the Secretary General of ICAO reiterated earlier correspondence, in particular he drew attention *“to the fact that certain amendments to the IMSO Convention would seem to indicate that IMSO, in the future, would sign Public Service Agreements (PSAs) exclusively with entities providing services for the Global Maritime Distress and Safety System (GMDSS) through a mobile satellite communications system recognized by IMO. Consequently, there was a perceived possibility that the IMSO Convention might then be eventually considered as the basis for addressing in PSAs maritime services only, without specific reference to aeronautical safety services.”* Attention is also drawn to the letter from the Secretary General of ICAO dated 18 November 2005 in which he states that *“I trust that, in accordance with paragraph (b) of the Agreement of Cooperation between ICAO and IMSO, signed in Montreal on 20 September 2000, IMSO will continue to ensure that the Company takes into account the applicable ICAO Standards and Recommended Practices (SARPs), as referenced in Clause 3 of the current PSA.”* Copies of the correspondence are attached at Annex II to this document.

2.5 **International Telecommunication Union (ITU)**

2.5.1 IMSO enjoys observer status at the International Telecommunication Union and is exempt from any contribution to share the expenses relating to its participation in the activities of the ITU Radiocommunication Sector. The Secretariat continues to keep abreast of developments within the ITU Council.

2.6 **UNIDROIT**

UNIDROIT has invited IMSO to express an interest in undertaking the role of Supervisory Authority under the Space Assets Protocol of the Convention on International Interests in Mobile Equipment (Cape Town Mobile Equipment Convention). At its Seventeenth Session, the Assembly considered that, provided the Secretariat was able to maintain the focus on its primary purpose, and there would be no adverse effect on the Organization's financial

position, it could be possible for the Director to consider undertaking the role of Supervisory Authority in the future. The Assembly therefore requested the Director to continue to monitor developments within UNIDROIT and to report to the next Session of the Assembly and to the Advisory Committee on all implications, including costs, and to inform UNIDROIT accordingly.

At the moment, there have been no activities in this area. The 2005 meeting on the Space Assets Protocol was cancelled.

2.7 **World Meteorological Organization (WMO)**

2.7.1 Negotiations concerning a suitable draft agreement with WMO continue.

2.8 **Cospas-Sarsat**

The Understanding on the Secretariat of the International Cospas-Sarsat Programme between the Cooperating Agencies of the Cospas-Sarsat Parties and IMSO was extended from 21 April 2004 to 20 April 2006. However, the Cospas-Sarsat Secretariat relocated to Canada during 2005 and the Understanding is, therefore, no longer in force.

2.9 **Commonwealth Telecommunications Organisation (CTO)**

At its Seventeenth Session, the Assembly invited the Commonwealth Telecommunications Organisation to attend Sessions of the Assembly, as an Observer, on a reciprocal basis, in accordance with Rule 5 of the Rules of Procedure of the Assembly.

2.10 **International Hydrographic Organization (IHO)**

2.10.1 The Secretariat has attended the International Hydrographic Organization's Extraordinary International Hydrographic Conference (IHC) and Commission on Promulgation of Radio Navigational Warnings (CPRNW) (March, April and September 2005, IHO Headquarters, Monte Carlo).

2.10.2 The IHO has approved the text of a draft Agreement of Cooperation with IMSO (**Annex II**), which the IMSO Assembly is invited to approve.

2.11 **Other International Organizations and Meetings**

2.11.1 In addition, the Secretariat has attended meetings as follows:

- AD HOC Working Group on the Engineering Aspects of LRIT (June 2006 in Vancouver, Canada);
- LRIT implementation and planning with representatives of Industry (July 2005, St Petersburg, Russian Federation);
- the Joint IMO/ITU Experts Group on Maritime Radiocommunication Matters, to help prepare the IMO position for ITU WRC-07 (June 2005 at IMO Headquarters, London);
- UNESCO Symposium on New Space Services for Maritime Users (February 2005, UNESCO Headquarters, Paris, France);
- the eleventh session of the ICAO/IMO Joint Working Group on Harmonization of Aeronautical and Maritime Search and Rescue (September 2004 on board MS "Adventure of the Seas", San Juan, Puerto Rico);
- Comité International Radio Maritime (CIRM) bi-annual meeting (June 2004, Oslo, Norway);
- Inter-Secretariat co-ordination meeting with the International Civil Aviation Organization (May 2004, ICAO Headquarters, Montreal, Canada);
- IALA Seminar on Long Range Identification and Tracking (November 2004, Victoria BC, Canada) and Working Group on Ship Reporting Systems (March 2004, IALA Headquarters, Paris);
- annual Search and Rescue Conference (March 2004, Brighton, UK).

2.10.2 In 2004 and 2005 the Secretariat undertook an annual familiarisation and liaison visit to the United Kingdom's Inmarsat Land Earth Station and Goonhilly and the associated Maritime Rescue Co-ordination Centre (MRCC) at Falmouth.

3 **ACTION REQUIRED**

The Assembly:

- (a) notes the status of the relationship with other international organizations; and
 - (b) approves the text of a draft Agreement of Cooperation between the International Hydrographic Organization and IMSO.
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ANNEX I

**LETTERS FROM THE SECRETARY GENERAL OF THE
INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO)**

D R A F T
AGREEMENT OF COOPERATION BETWEEN THE
INTERNATIONAL HYDROGRAPHIC ORGANIZATION (IHO)
AND THE INTERNATIONAL MOBILE SATELLITE
ORGANIZATION
(date)

This document constitutes a Memorandum of Understanding between the International Mobile Satellite Organization (IMSO) and the International Hydrographic Organization (IHO).

The IMSO and IHO each recognizes that the other is an international organization with many complementary activities serving the broadest interests of safety of life at sea, safe navigation and the promotion of safe and efficient maritime transport.

IMSO is the intergovernmental organization, established by its Convention, with 89 Member States responsible, *inter alia*, for overseeing the public interests in the provision of maritime mobile satellite services for the Global Maritime Distress and Safety System (GMDSS). IMSO therefore has an essential interest in the provision of all satellite-based communication services affecting the safety of life and property at sea.

IHO is an intergovernmental organization of a consultative and technical nature comprising over 70 Member States represented by their respective national hydrographic offices. IHO objectives include the coordination of national hydrographic offices activities, standardization of nautical charts and publications and the adoption of reliable and efficient methods to conduct hydrographic surveys, all aiming to contribute to safety of navigation and the protection of the marine environment.

The International Hydrographic Organization and the International Mobile Satellite Organization,

A **HAVING REGARD** to Article VIII(h) of the Convention on the International Hydrographic Organization (IHO) and to Article 8(c) of the Convention on the International Mobile Satellite Organization, as amended;

B **RECOGNIZING** the purview of both Organizations in the fields of maritime communications, maritime safety and efficiency of navigation;

C **DESIRING** to facilitate the attainment of their respective objectives in these fields through the maximum possible co-ordination of their efforts

HAVE AGREED AS FOLLOWS:

- 1 IHO and IMSO agree to establish and maintain cooperation relative to matters of common interest to both Organizations.
- 2 IHO and IMSO agree to exchange information and documentation and to keep each other fully informed of their activities and programmes of work in the field of maritime communications for maritime safety and efficiency of navigation, subject always to such arrangements as may be necessary for safeguarding or withholding of information of a confidential nature.
- 3 With a view to facilitating attainment of their respective objectives as set forth in their constituent instruments, IHO and IMSO agree to establish and maintain regular consultation in regard to matters of common interest in the field of maritime communications for maritime safety and efficiency of navigation.

Accordingly, when either Organization proposes to initiate a programme or activity on a subject in which the other Organization has or may have substantial interest, it should consult the latter Organization taking into account the respective objectives of both Organizations.

- 4 IHO may propose matters for consideration by the organs of IMSO. Such proposals will be submitted by the President of the Directing Committee of IHO to the Director of IMSO for appropriate action. Similarly, IMSO may propose subjects for consideration by the organs of IHO. Such suggestions will be submitted by the Director to the President of the Directing Committee of IHO for appropriate action.
- 3
 - (i) IHO may be invited to be represented in meetings of IMSO organs or their subsidiary bodies or conferences convened by IMSO. Such participation shall be in accordance with the applicable Rules of Procedure.
 - (ii) IMSO may be invited to be represented in meetings of IHO organs or their subsidiary bodies or conferences convened by IHO. Such

participation shall be in accordance with the applicable Rules of Procedure.

- 6 It is understood that neither organisation can commit the other to any expenditure, save that from administering this MoU, without the specific written consent of both organisations.
- 7 This Agreement may be revised by agreement between IHO and IMSO.
- 8 IHO and IMSO may at any time denounce this Agreement by giving six months' prior written notice to the other Party.
- 9 This Agreement shall enter into force upon signature on behalf of IHO and IMSO.

DONE at [London] this ____ day of _____ 2005.

Signature

Signature

President of the Directing
Committee
For International Hydrographic
Organization
(IHO)

Director
For International Mobile Satellite
Organization (IMSO)
